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March 5, 2007

The Honorable Charles Terreni Chief Clerk and Administrator Public Service Commission of South Carolina Post Office Drawer 11649 Columbia, South Carolina 29211

Re:

Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. – Annual Review of Base Rates for Fuel Costs

Docket No. 2007-1-E

Dear Mr. Terreni:

Nucor Steel-South Carolina ("Nucor"), a Division of Nucor Corporation, requests that the Commission revise the procedural schedule in the Carolina Power & Light Company d/b/a/ Progress Energy Carolinas, Inc. ("PEC") fuel case.

The original procedural schedule in this proceeding was established by a letter issued by the Public Service Commission's Docketing Department ("Docketing Department") on January 9, 2007. By a letter dated January 10, 2007, PEC requested that the original procedural schedule be modified. By a letter issued January 19, 2007, the Docketing Department adopted the following revised procedural schedule:

May 2, 2007	PEC testimony due
May 16, 2007	Intervenor direct testimony due
May 22, 2007	PEC rebuttal testimony due
May 24, 2007	Intervenor surrebuttal testimony due

This revised procedural schedule is almost identical to the one proposed by PEC in its January 10 letter. By a separate notice issued January 19, 2007, the Commission scheduled the hearing in this proceeding for June 13, 2007.

Nucor, a customer of PEC, submitted a petition to intervene in this proceeding on February 8, 2007. Nucor requests that the procedural schedule in this proceeding be revised as follows:

May 2, 2007	PEC testimony due
May 30, 2007	Intervenor direct testimony due
June 6, 2007	PEC rebuttal testimony due
June 11, 2007	Intervenor surrebuttal testimony due
June 13, 2007	Hearing

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In past fuel proceedings, Nucor has had difficulty preparing its direct testimony due to the short time between the filing of PEC's testimony and the due date for intervenors' testimony. This was the case because it was not until PEC filed its direct testimony that parties knew what changes (if any) PEC proposed to make to its fuel factor and PEC's reasons for the changes, notwithstanding the fact that parties could request discovery before PEC filed its testimony. While Nucor hopes to obtain information on PEC's proposed fuel factor and relevant data through discovery in this proceeding prior to the filing of PEC's testimony, the current schedule poses the same potential problem as in past proceedings since parties are given only two weeks to analyze PEC's case-in-chief and prepare their own testimony.

In fact, the current schedule is even more problematic for Nucor and other intervenors given the proposed changes to the Commission's Rules of Practice and Procedure, one of which is to extend the time for parties to respond to interrogatories to twenty days. *See* proposed revisions to 26 S.C. Code Ann. Regs. 103-833(B)-(C). The current procedural schedule in this proceeding allows only fourteen days between when parties receive PEC's direct testimony and when they have to file their own direct testimony. Assuming the new procedural rules are approved, therefore, it would be impossible for intervenors such as Nucor to serve interrogatories concerning PEC's direct testimony and receive responses from PEC in time for use in the preparation of the intervenors' own direct testimony.

Nucor's proposed schedule has the benefit of retaining the current due date for PEC's direct testimony and the June 13, 2007 hearing date, while extending the time intervenors have to respond to PEC's case-in-chief once it is filed. Nucor submits that this revised schedule will be fair for all parties to this proceeding as well as to the Commission, and Nucor respectfully requests that the Commission adopt the revised schedule.

Respectfully submitted,

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